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Attorneys for Plaintiff
Sun Microsystems, Inc.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

SUN MICROSYSTEMS, INC.,
Plaintiff

v.

NETWORK APPLIANCE, INC.,
Defendant

CASE NO. 3:07-CV-05488-EDL
C07-6053 EDL and C08-1641 EDL

**STIPULATION AND [PROPOSED] ORDER
EXTENDING DUE DATE FOR REPLY
BRIEF REGARDING SUN
MICROSYSTEMS, INC.'S MOTION TO
COMPEL PRODUCTION OF
DOCUMENTS FROM NON-PARTY
SYMANTEC CORPORATION**

**Date: June 30, 2009
Time: 9:00 a.m.
Courtroom: E, 15th Floor
Hon. Elizabeth D. Laporte**

WHEREAS, on May 22, 2009, Sun Microsystems, Inc. ("Sun") filed a Motion to Compel Production of Documents and Deposition of non-party Symantec Corporation ("Motion to Compel");

WHEREAS, on June 9, 2009, Symantec Corporation ("Symantec") filed an Opposition to Sun's Motion to Compel Production of Documents and Deposition ("Symantec's Opposition Brief");

WHEREAS, pursuant to the Northern District Local Rules, Sun's Reply to Symantec's Opposition Brief shall be filed no later than June 16, 2009;

WHEREAS, the hearing on Sun's Motion to Compel Production of Documents and Deposition of Symantec is noticed for June 30, 2009;

WHEREAS, Sun has requested an extension of time to June 19, 2009 (i.e., 3 days) for Sun to file its reply in support of its Motion to Compel Production of Documents and Deposition in order to continue its review of the documents (approximately 44,000 pages) that have been recently produced by Symantec and continue its evaluation of the need for its Motion to Compel and related hearing;

WHEREAS, Sun and Symantec through undersigned counsel are continuing to meet-and-confer in good faith regarding the issues raised by the motion.

THEREFORE, IT IS HERE BY STIPULATED by Sun and Symantec as follows:

(1) Sun's deadline to file its reply in support of its Motion to Compel Production of Documents and Deposition is extended to June 19, 2009.

Dated: June 11, 2009

HOLME ROBERTS & OWEN LLP

By: s/ Meryl Macklin
Meryl Macklin
Attorneys for Sun Microsystems, Inc.

LATHAM AND WATKINS LLP

By: s/ Carisa Yee
Carisa Yee
Attorneys for Non-Party, Symantec Corporation

IT IS SO ORDERED.

June 15, 2009

